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the conviction of the licensee of a violation of this ordinance, no part of the fee shall be returned.

**SEC. 8. *Record, minors, and drunkards.***—Every licensee hereunder shall keep a book in which shall be recorded in English on the day of each purchase or sale an accurate account and description in the English language of the junk purchased, received, or sold, where and from or to whom received, purchased, or sold, the amount or thing paid or received therefor, and the time of the receipt, purchase, or sale, which book, as well as the articles purchased, shall be open at all times to the inspection of any policeman or of any employee in the office of the city clerk, and no such licensee shall purchase or receive any junk from any minor without the written consent of his parents or guardian, or from any person who is at the time intoxicated, or from an habitual drunkard, or from any person known by him to be a thief or associate of thieves or a receiver of stolen property.

**SEC. 9.** No licensee shall sell or remove from such location or from any car or vehicle in which he is storing junk any article of junk purchased by him until the same shall have been in his possession at least 72 hours.

**SEC. 10. *Penalty.***—Any person, firm, or corporation violating any of the provisions of this ordinance shall be fined in a sum not less than \$5 nor more than \$300 for each offense.

**SEC. 11.** All ordinances and parts of ordinances in conflict with any of the provisions of this ordinance, and particularly sections 236, 237, 238, 239, and 240 of the code of Colorado Springs, 1914, are hereby repealed.

## DULUTH, MINN.

### **Garbage, Refuse, and Dead Animals — Collection of — Assessment Against Property Benefited Thereby. (Ord. 611, June 5, 1915.)**

**SECTION 1. *Subdivision A.*** The term "garbage" shall include all combustible matter which is liable to ferment, decay, putrefy, decompose, or become offensive or a menace to health, and the refuse matter from kitchens, pantries, dining rooms and other parts of hotels, restaurants, boarding houses, tenement houses, dwelling houses, and all other public houses, market houses, private hotels and clubrooms, and the refuse fruit and vegetable matter from fruit stands, commission houses, grocery stores, or any other place of business, and all of the refuse animal matter, excepting any portions or particles of meat or animals not fit or intended for immediate market and to be subjected to a rendering process from slaughterhouses, butcher shops, meat shops, poultry or fish stores, or any place where meat is sold, and any slop or swill that shall accumulate from any cause in any place.

***Subdivision B.*** The term "ashes" shall include cinders and all solid products of complete combustion of wood, coal or other combustible material, provided the same has been completely burned, and is not mixed with any combustible or insanitary material.

***Subdivision C.*** The term "manure" shall include the excreta of any domestic or other animal, live stock or fowl, and hay, straw, and other material when mixed with the excreta of any such animal, live stock or fowl.

***Subdivision D.*** The term "rubbish" shall include all crockery, bottles, or refuse glass, tin cans and other metal and noncombustible substances, in whatsoever form the same may be.

***Subdivision E.*** The term "dead animals and parts thereof" shall include all animals and fowls of every kind not slain for food or useful arts, that may be found in or upon the streets, alleys, public highways, or in any other public or

private premises in the city of Duluth, and any portion or particle of meat or animal not fit or intended for immediate sale in the markets and to be subjected to a rendering process for commercial purposes.

*Subdivision F.* The term "other refuse" shall include all yard cleanings, dirt, rags, waste paper, and all other unsightly material not hereinbefore defined, and all mixtures of any of the substances defined or referred to in the foregoing subdivisions.

SEC. 2. Wherever garbage, ashes, manure, rubbish, dead animals or parts thereof, or other refuse shall not be, within 48 hours after the same are deposited or get upon any real property of the city of Duluth, removed by the owner thereof or any other person, the city of Duluth may, when public health or safety require such removal, at its own expense remove the same from said property; and in such case an assessment shall be made against the property, if any, specially benefited by such removal, of the costs of such removal to the amount by which such property is specially benefited by such removal.

SEC. 3. Assessments made under this ordinance shall be made by the city assessor from data furnished by the department of public safety, and he shall make an assessment roll containing in columns the name of the owner of each lot or parcel of land separately assessed, if known to him, a description of each such lot or parcel of land and the amount assessed separately against each lot or parcel of land, and the assessment roll shall also show how much of such assessment was levied for the removal, respectively, of garbage, ashes, manure, rubbish, dead animals or parts thereof, and other refuse.

SEC. 4. The city assessor shall certify the assessment roll to the council, and thereafter the city clerk shall give 10 days' notice by one publication in the official paper of the city that the assessment roll is on file in the clerk's office, which notice shall describe the removal and what was removed, whether it was garbage, ashes, manure, rubbish, dead animals or parts thereof, or other refuse, and shall state a time at which the council will meet to hear the appeals of parties aggrieved by such assessment.

SEC. 5. At said time the council shall meet and hear and determine upon all objections which may be made by any party interested to the regularity of the proceedings or to the correctness of the amount of such assessment, or of the amount levied upon any particular lot or parcel of land; and if the proceedings are found to have been regular they shall correct any errors which may have been found in the assessment, and shall thereupon by resolution direct the confirmation of such proceedings, and the proceedings and assessments as so confirmed shall thereafter be deemed the final determination of the regularity, validity, and correctness of the assessment and the amount thereof.

SEC. 6. On or before the 1st day of October of each year the city assessor shall certify to the city council a statement of all assessments delinquent under this ordinance, describing the land affected, and giving the amount of the assessment, with penalty added, after which the assessment shall follow the provisions of section 70 of the city charter.

SEC. 7. So far as relates to assessments for the improvements described in this ordinance, the ordinances shall be deemed to supersede all prior ordinances.

SEC. 8. The provisions of sections 64, 65, 66, and 67 of the charter with reference to appeals to the district court shall apply to the provisions of this ordinance in reference to the confirmation of said assessments, and the other provisions of said sections shall also apply to this ordinance.